



Patent
Attorney's Docket No. 1017750-000732

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) **MAIL STOP RCE**
Vernon T. Brady et al.)
Application No.: 09/975,995) Group Art Unit: 2615
Filed: October 15, 2001) Examiner: Briney III, Walter F
For: METHOD AND APPARATUS FOR) Confirmation No.: 9493
HIGH FREQUENCY WIRELESS)
COMMUNICATION)
)

RESPONSE UNDER 37 C.F.R. 1.114

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Panel Decision from Pre-Appeal Brief Review dated September 24, 2007, a Request for Continued Examination having been timely filed herewith, reconsideration and allowance of the present application are respectfully requested.

1. Regarding the Nonstatutory Obviousness-Type Double Patenting

Based on The Brady et al., Kumar et al., And Fenter Patents

On page 2, numbered paragraph 1, the Examiner rejects claims 1, 2, 11, 12, 19, 25, 26, 29, 36, 37, 40, 76-83, 86-88, 90-94 and 97-102 based on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-10 of US Patent 6,442,374 (Brady et al.); in view of US Patent 5,793,253 (Kumar et al.); and further in view of U.S. Patent 4,459,651 (Fenter).

While Applicants traverse the Examiner's rejection, pursuant to MPEP 718, a Terminal Disclosure is provided herewith under 37 C.F.R. §1.321(c) to expedite the